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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,169	06/13/2001	Arjun Nayyar	60126.800US01	5813
37509	7590	12/28/2004	EXAMINER	
DECHERT LLP P.O. BOX 10004 PALO ALTO, CA 94303			DANG, DUY M	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/880,169	Applicant(s) NAYYAR, ARJUN	
	Examiner Duy M Dang	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) 1-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/13/01 + 1/30/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election of Group I invention (Claims 1-10) filed 8/30/04 is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. Applicant's amendment to cancel non-elected claims 11-14 is advised in response to this office action.

3. The disclosure is objected to because of the following informalities:

-“The compressed image I_n ” in line 6 of page 8 ought to be changed to “The image I_n ”. It appears to be consistent with applicant's disclosed figures 4-5. Otherwise, clarification is required.

Appropriate correction is required.

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In this case, claim 4 recites “encoding the plurality of compressed images” in lines 2-3. This feature is not found support by the instant specification. While line 6 of page 8 of the instant specification mentions encoding compressed image, it does not describe how

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“compressed image” is encoded. Does the term “encoding” mean “multiplexing”? If so, please spell it out. For prior art comparison, the “encoding the plurality of compressed images” is referred to “multiplexing the plurality of compressed images”.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the beginning" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Dependent claims 2-6 are also rejected for the same reasons as above.

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-5, and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Corset et al. [US Patent No. 5,995,668. Art of record, IDS filed 1/30/02].

Regarding claim 1, Corset teaches:

segmenting the image into a plurality of segments [see figure 8];

analyzing a first segment of the plurality of segments to determine compression technique for the first segment [see analysis step mentioned in abstract. Note that this analysis step allows a suitable selection of coding technique for each region. Also refer to figure 8 which includes a plurality of coding techniques (BCT #1 and #3) applied to each region];

applying the compression technique to the first segment [i.e., choose best coding technique for each region mentioned in abstract] whereby the first segment is transformed into a storable form [see column 15 lines 10-14];

creating a tag for compressed first segment, the tag including a decompression instruction particular to the compression technique and information identification the beginning and outline of the first segment [i.e., the information comprising motion information, partition information, coding strategy,..., mentioned in col. 15 lines 15-34 refers to the so called "tag"];

storing the tag and the compressed first segment in a storage medium [see col. 15 lines 10-34. Note output bitstream];

repeating the steps of analyzing, applying, creating and storing for each subsequent segment of the plurality of segments wherein each of the plurality of segments is compressed by compression technique that is optimal to that particular segment [see iteration mentioned in col. 12 line 18-31 and figures 6 and 8. Also refer to coding technique employing a wavelets decomposition, adaptive DCT mentioned in col. 13 lines 5-10].

Regarding claims 2 and 8, Corset further teaches wherein two or more compression techniques are different from each other [see two coding techniques having rate R_H and rate R_L mentioned in col. 12 lines 28-30, and intra-coding and inter-coding techniques mentioned in col. 11 lines 28-31].

Regarding claim 3, Corset further teaches dividing segment into sub-segments [see figures 6 and 8 and "wavelets" mentioned in col. 13 line 9] and repeating the steps of analyzing, applying, creating and storing each of the sub-segments [see claim 1 above]

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Regarding claim 4, Corset further teaches encoding the plurality of compressed images to form a file of compressed encoded image data in transmittable form and storing the file in the storage medium [see col. 15 lines 10-20].

The advanced statement with regard to claim 1 above are incorporated herein. With regard to claims 5 and 7, Corset further teaches a plurality of images [i.e., a sequence of original pictures mentioned in col. 1 line 8].

Regarding claim 9, Corset further teaches segments area either overlapping or arbitrarily shaped regions of the images [see figures 6, 8, and 12].

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corset et al. [US Patent No. 5,995,668. Art of record, IDS filed 1/30/02] in view of Qian et al [US Patent No. 6,070,167. Art of record, IDS filed 1/30/02].

The advanced statements as applied to claims 1-5, and 7-9 in paragraph 9 above are incorporated herein. With regard to claims 6 and 10, Corset fails to teach memory management, data description members, and display instruction members. However, such features are well known in the art as evidenced by Qian et al [see col. 3 lines 15-34 and figures 3-5].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate features taught by Qian et al in combination with Corset et al

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in order to allow image scalability. This greatly allows image transmitted over a low speed communication environment.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy M Dang whose telephone number is 703-305-1464. The examiner can normally be reached on Monday to Friday from 5:30AM to 2:00PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on 703-305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dmd
12/23/04



Duy M. Dang
Patent Examiner